

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

TRANSCARE CORPORATION, et al.,

Case Nos.: 16-10407 (SMB)
(Jointly Administered)

Debtors.
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**SECOND CONSENT ORDER RESPECTING THE DISTRIBUTION OF CERTAIN
SALE PROCEEDS IN ACCORDANCE WITH SO ORDERED STIPULATION**

WHEREAS, pursuant to a So Ordered stipulation dated April 8, 2016 [Dkt. No. 78], the Court approved an agreement between Salvatore LaMonica, as Chapter 7 Trustee (the “Trustee”) of the above-captioned debtors (collectively, the “Debtors”), and Kin Leasing Corp. regarding the Trustee’s sale of certain leased property owned by Kin Leasing Corp. (the “Kin Leasing Vehicles”) and carve-out from the sale proceeds (the “Stipulated Order”);

WHEREAS, in accordance with the Stipulated Order, certain Kin Leasing Vehicles were sold by the Trustee at public auction sales for a total of \$515,200.00 (the “Kin Leasing Proceeds”);

WHEREAS, in accordance with a Consent Order entered on May 23, 2016 [Dkt. No. 150], certain of the Kin Leasing Proceeds were allocated among the appropriate Debtors’ estates and, in accordance with the Stipulated Order, the Trustee thereafter distributed \$418,726.78 to Kin Leasing Corp. from the Kin Leasing Proceeds;

WHEREAS, pursuant to the Stipulated Order, the balance of the Kin Leasing Proceeds totaling \$96,473.22 are to be distributed: (i) first to the estates to reimburse for Kin Leasing Corp.’s *pro rata* share of the actual, reasonable expenses incurred in securing, protecting and storing all vehicles owned by Kin Leasing Corp.; and (ii) any funds remaining after payment of the Storage Fees will be distributed equally (50/50) between Kin Leasing Corp. and the Debtors’

estates;

WHEREAS, from the balance of the Kin Leasing Proceeds totaling \$96,473.22, the Trustee and Kin Leasing Corp. agree that Kin Leasing Corp. is entitled to \$15,000.00 and the estates are entitled to retain \$81,473.22 pursuant to the Stipulated Order.

NOW, THEREFORE, it is hereby ORDERED that:

1. The Trustee is authorized to pay to Kin Leasing Corp. \$15,000.00 from the balance of the Kin Leasing Proceeds in full and final satisfaction of Kin Leasing Corp.'s secured claims in and to the Kin Leasing Proceeds as follows:

- a. \$10,111.66 from the estate of TransCare New York, Inc. [Case No. 16-10408];
- b. \$2,541.64 from the estate of TransCare ML, Inc. [Case No. 16-10409];
- c. \$1,398.43 from the estate of TransCare Westchester, Inc. [Case No. 16-10414]
- d. \$777.47 from the estate of TransCare Pennsylvania, Inc. [Case No. 16-11057]; and
- e. \$170.80 from the estate of TC Ambulance Corporation [Case No. 16-11058].

2. The Trustee shall deliver such funds to Kin Leasing Corp. by checks made payable to "Kin Leasing Corp." and delivered to Arlene Menachem, Sunrise Chevrolet and Sunrise Toyota, 105-20 Queens Blvd., Forest Hills, New York 11375-4247, so as to be received within seven (7) business days of the entry of this Order.

3. Following payment of the \$15,000.00 to Kin Leasing Corp. pursuant to this Order, Kin Leasing Corp. shall have no further liens, claims or interest in the Kin Leasing Proceeds, provided, however, that Kin Leasing Corp. may file pre-petition, general unsecured claims for any remaining amounts or deficiency sums due to Kin Leasing Corp. related to the Kin Leasing Vehicles.

4. The Trustee is authorized and empowered to expend such funds and execute and deliver any and all documents as are reasonably necessary to implement the terms of this Order.

AGREED AND CONSENTED TO:

Dated: January 9, 2017
Wantagh, New York

LaMONICA HERBST & MANISCALCO, LLP
Counsel to Salvatore LaMonica, as Trustee

By: s/ Holly R. Holecek
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Dated: January 9, 2017
Forest Hills, New York

KIN LEASING CORP.

By: s/ Arlene Menachem
Arlene Menachem, President
105-20 Queens Boulevard
Forest Hills, New York 11375
Telephone: (718) 793-4444

Dated: January 10th, 2017
New York, New York

/s/ STUART M. BERNSTEIN
Hon. Stuart M. Bernstein
United States Bankruptcy Judge